



**UNITED STATES DEPARTMENT OF COMMERCE
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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
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09/538,323 03/30/00 SKOFF

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WM01/0214

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EXAMINER

POPE, D

TIMOTHY T TYSON
FREILICH HORNBAKER & ROSEN
10960 WILSHIRE BLVD
SUITE 1220
LOS ANGELES CA 90024

ART UNIT

PAPER NUMBER

2632

DATE MAILED: 02/14/01

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner of Patents and Trademarks

Office Action Summary

Application No.

09/538,323

Applicant(s)

SKOFF

Examiner

DARYL C. POPE

Group Art Unit

2736



☒ Responsive to communication(s) filed on Nov 20, 2000

☐ This action is **FINAL**.

☐ Since this application is in condition for allowance except for formal matters, **prosecution as to the merits is closed** in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

A shortened statutory period for response to this action is set to expire 3 month(s), or thirty days, whichever is longer, from the mailing date of this communication. Failure to respond within the period for response will cause the application to become abandoned. (35 U.S.C. § 133). Extensions of time may be obtained under the provisions of 37 CFR 1.136(a).

Disposition of Claim

☒ Claim(s) 1-15 is/are pending in the application.

Of the above, claim(s) _____ is/are withdrawn from consideration.

☐ Claim(s) _____ is/are allowed.

☒ Claim(s) 1 is/are rejected.

☒ Claim(s) 2-15 is/are objected to.

☐ Claims _____ are subject to restriction or election requirement.

Application Papers

☐ See the attached Notice of Draftsperson's Patent Drawing Review, PTO-948.

☐ The drawing(s) filed on _____ is/are objected to by the Examiner.

☐ The proposed drawing correction, filed on _____ is ☐ approved ☐ disapproved.

☐ The specification is objected to by the Examiner.

☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. § 119

☐ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).

☐ All ☐ Some* ☒ None of the CERTIFIED copies of the priority documents have been received.

☐ received in Application No. (Series Code/Serial Number) _____.

☐ received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

*Certified copies not received: _____

☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

Attachment(s)

☐ Notice of References Cited, PTO-892

☐ Information Disclosure Statement(s), PTO-1449, Paper No(s). _____

☐ Interview Summary, PTO-413

☐ Notice of Draftsperson's Patent Drawing Review, PTO-948

☐ Notice of Informal Patent Application, PTO-152

--- SEE OFFICE ACTION ON THE FOLLOWING PAGES ---

Art Unit: 2632

DETAILED ACTION

ART REJECTION:

Claim Rejections - 35 USC § 102

1. Claim 1 is rejected under 35 U.S.C. 102(b) as being anticipated by Wilson et al for the reasons of record as discussed in the previous office action.

Allowable Subject Matter

2. Claims 2-15 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

REMARKS:

Response to Arguments

3. Applicant's arguments filed 11/20/00 have been fully considered and are deemed partially persuasive.

Conclusion

4. Any response to this action should be mailed to:

Commissioner of Patents and Trademarks

Washington, D.C. 20231

or faxed to:

(703) 308-9051(for formal communications intended for entry)

Or:

Art Unit: 2632

(703) 305-3988(for informal or draft communications, please label
"PROPOSED" or "DRAFT")

Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal
Drive, Arlington. VA., Sixth Floor (Receptionist).

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Daryl C. Pope whose telephone number is (703) 305-4838. The examiner can normally be reached on M-Th from 8:30 to 6:00. The examiner can also be reached on alternate Fridays from 8:30 to 5:00 since the examiner works on a flex-time schedule in which every other Friday is the examiner's day off.

All interviews requested, whether personal or telephonic, are to be scheduled for times during the examiner's work hours between Tuesdays-Thursdays during the week in which the examiner has that Friday off. All other time periods requested will only be scheduled on an emergency basis.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jeff Hofsass, can be reached on (703) 305-4717. The fax phone number for the organization where this application or proceeding is assigned is (703) 305-3988.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-4700.

Daryl C. Pope

Feb. 7, 2001


DARYL POPE
PRIMARY EXAMINER